



January 28, 2003

Mayor Wesely and City Council  
City of Lincoln  
City County Building  
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of Wal-Mart Inc., d.b.a. Wal-Mart Supercenter #3278, 8700 Andermatt Drive requesting a class D liquor license.

Wal-Mart has requested that Kayleen Heller Glenn be approved as the manager of the liquor license.

Background information on the applicants is as follows:

Kayleen Heller was born in Sutherland, Nebraska. She attended St. Patrick High School, North Platte graduating in 1990. Mrs. Heller has been employed by Wal-Mart since 1992.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

A handwritten signature in black ink, appearing to read "Tom Casady".

THOMAS K. CASADY, Chief of Police



Police Department  
575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: [www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

A nationally accredited law enforcement agency



Interview Date 1/12/81

# STATE OF NEBRASKA



Mike Johanns  
Governor

*Russ*  
A3-609671  
200

*PH: 2-24-03 5:30 p.m.*  
**NEBRASKA LIQUOR CONTROL COMMISSION**  
**Forrest D. Chapman**  
Executive Director  
301 Centennial Mall South, 5th Floor  
P.O. Box 95046  
Lincoln, Nebraska 68509-5046  
Phone (402) 471-2571  
Fax (402) 471-2814  
TRS USER 800 833-7352 (TTY)  
web address: <http://www.nol.org/home/NLCC/>

January 24, 2003

Office of the City Clerk  
555 So 10<sup>th</sup> Street  
Suite 103  
Lincoln NE 68508

*Wal-Mart Supercenter #3278  
8700 Andermatt Drive 68516  
Class D*

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

*Mary Messman*

Mary Messman  
Licensing Division

Enclosures

**Rhonda R. Flower**  
Commissioner

**Bob Logsdon**  
Chairman

**R.L. (Dick) Coyne**  
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FILED  
CITY CLERK'S OFFICE  
JAN 27 PM 2 43  
CITY OF LINCOLN  
NEBRASKA

FORM 35-4001  
REV. 12 99

# APPLICATION FOR LICENSE

Nebraska Liquor Control Commission, PO Box 95046, 301 Centennial Mall So.  
Lincoln, NE 68509-5046, Phone: (402) 471-2571 Fax: (402) 471-2814

**INSTRUCTIONS:** All applications must be typewritten and submitted in triplicate to: Nebraska Liquor Control Commission, P.O. Box 95046, Lincoln NE 68509. Include: 1. Applicable fees payable to Liquor Control Commission. 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application. Corporate stockholders not included 3. Lease or proof of ownership. Statute 53-131.01(2).

Web address: <http://www.nol.org/home/NLCC>

# 58288  
**RECEIVED**

JAN 17 2003

NEBRASKA LIQUOR  
CONTROL COMMISSION

## CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

Class of License (Check applicable class)	Registration Fee	License Fees	Corporate Surety Bond
<input type="checkbox"/> A Beer, On Sale Only - Inside Corporate Limits	\$30.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only - Outside Corporate Limits	30.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only - Inside Corporate Limits	30.00	Collected at Local Level	exempt
<input type="checkbox"/> E Beer, Off Sale Only - Outside Corporate Limits	30.00	Collected at Local Level	exempt
<input type="checkbox"/> J Wine, Beer, On Sale Only - Inside Corp. Limits	30.00	Collected at Local Level	exempt
<input type="checkbox"/> I Spirits, Wine, Beer, On Sale Only - Inside Corp. Limits	30.00	Collected at Local Level	exempt
<input checked="" type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only - Inside Corp. Limits	30.00	\$150.00	exempt
<input type="checkbox"/> C Spirits, Wine, Beer, On and Off Sale - Inside Corp. Limits	30.00	Collected at Local Level	exempt
Do you wish sampling restriction (Lottery)? <input type="checkbox"/> Yes <input type="checkbox"/> No	30.00	Collected at Local Level	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, On Sale)	30.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	30.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	30.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	30.00	Collected at Local Level	exempt
<input type="checkbox"/> V Manufacturer of Beer (See Statute §53-124)	30.00	\$50.00	exempt
Wine & Distilled Spirits	30.00	Varies \$100 to \$1000	*10,000 minimum
<input type="checkbox"/> X Wholesale Liquor	30.00	\$500.00	*5,000 minimum
<input type="checkbox"/> W Wholesale Beer	30.00	\$250.00	*5,000 minimum
<input type="checkbox"/> Y Farm Winery	30.00	\$250.00	*1,000 minimum
<input type="checkbox"/> L Craft Brewery (Brew Pub)	30.00	\$250.00	*1,000 minimum

### TYPE OF APPLICATION

Type of Application Being Applied for (place appropriate number in box)

3

- 1=Individual License Requires  
Form 1 to be Attached  
2=Partnership License Requires  
Form 2 to be Attached  
3=Corporate License Requires  
Forms 3 & Manager  
Application to be Attached

### CORPORATE SURETY BOND INFORMATION

Bond Company - for Classes L V W X Y Only

n/a

\*If tax per month exceeds the minimum amount as listed above you must file a bond increasing the amount to your estimated tax liability.

Start Date Month/Day/Year

n/a

Bond Number

n/a

### PREMISE INFORMATION - Must be complete by all applicants

Trade Name

Wal-Mart Supercenter #3278

Telephone Number

402/484-6166

1) Street Address of Proposed Licensed Premise

8700 Andermatt Drive

2) Mailing Address for Official Deliverance of Mail from the Commission

702 SW 8th Street, Bentonville, AR 72716-0555

City

Lincoln

County

Lancaster

Zip Code

68516

Replacing License Number (if applicable)

n/a

Are the proposed licensed premises inside the  
City Limits of the Town or City? Y

Y=Yes N=No

Do you own the building and real estate for  
which a license is sought? If owned, submit a  
copy of deed or sales contract demonstrating  
ownership. Y=Yes N=No Y

If you lease the building or real estate, when does the lease expire?

n/a

Month/Day/Year

**SUBMIT A SIGNED COPY OF  
YOUR LEASE EXTENDING  
THROUGH LICENSE YEAR**Are you filing a temporary agency agreement, whereby current  
licensee allows you to operate on their license? N

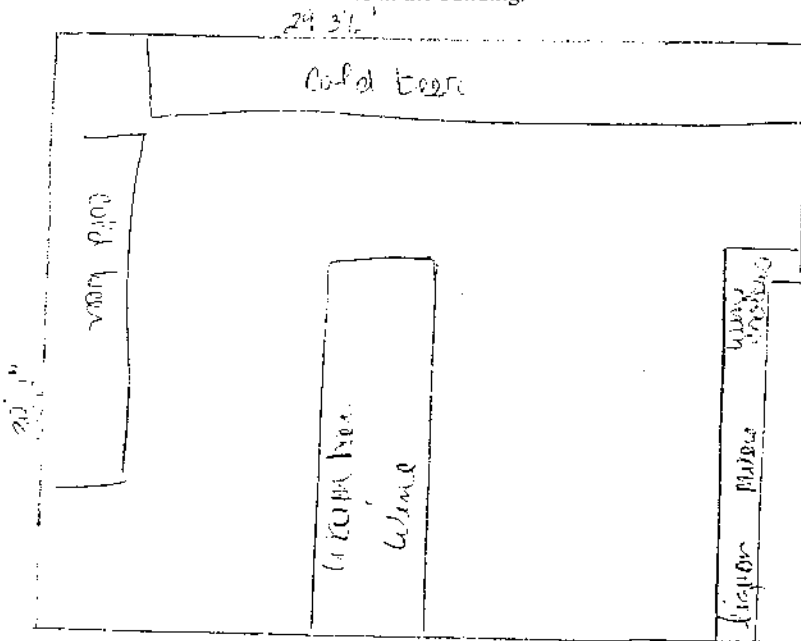
Y=Yes

N=No

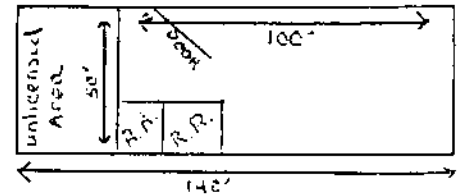
If yes, attach copy

**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED**

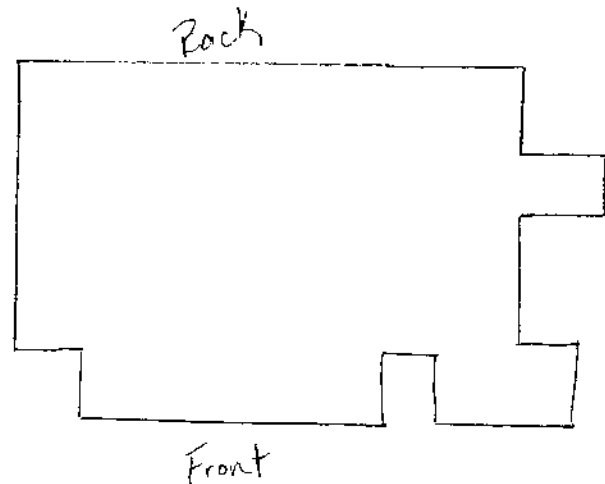
In the Space Provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas of consumption. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the entire building, as well as the licensed area. No blue prints will be accepted. Be sure to indicate the direction North and number of stories in the building.



N 1



**EXAMPLE:** East portion Approx. 50' x 100'  
of main floor of 3 story building plus basement approx. 30  
50' at the East end.

**LEGAL DESCRIPTION OF PREMISES TO BE LICENSED**

See attached deed.

**INFORMATION REQUIRED**

1. READ CAREFULLY-ANSWER FULLY AND ACCURATELY Has anyone who is a party to this application, or their spouse, ever been convicted of, or pled guilty to any criminal charge? Criminal charge means any charge alleging a violation of a Federal, State or local law or ordinance. List the nature of the charge, where the charge occurred and the year and month of the conviction or guilty plea. Also list any charges pending at the time of this application.	YES	NO	Explanation/Comments
		X	
2. Are you buying or leasing the business of a present licensee?  If buying, give the name of the licensee selling to you and submit a signed copy of the sales agreement listing furniture, fixtures, and their assigned values. If leasing, include a signed copy of the lease		X	

3. If you are buying the business of a present licensee, are you assuming the present liquor bills?	YES	NO	Explanation/Comments
		X	n/a
4. Are you buying all the alcoholic liquor stock of the present license? If yes attach an inventory including brand names and container sizes of the stock to this application. If no please explain.		X	n/a
5. Are fixtures, furniture, equipment or stock encumbered? If YES, by whom? Include inventory or any property owned by other party		X	
6. Are you borrowing any money to establish or operate this business? If yes, list the person, Bank or financial institution borrowed from and the amount borrowed. Include a copy of all contracts, promissary notes or any other agreements for repayment.		X	
7. List the name and address of the primary bank/financial institution to be used by the business, include any account numbers. Furnish the account numbers of all checking, savings or other accounts and the names of individuals authorized to write checks, make deposits or withdrawals on such accounts. Attach copy of your "credit report", if filing as individual or partner; if corporation, the CEO/president.			Wachovia Bank, Winston-Salem Jay Fitzsimmons, Michael A. Co Elizabeth Branigan. See attached annual report.
8. Does the premises require remodeling or construction? If YES, give completion date.	X		Grand Opening March 19, 2003.
9. Will any person or persons other than named on this application (partners, corporate officers, directors) have any interest or ownership directly or indirectly in this business? If YES, explain.		X	
10. Does anyone named on this application, including corporate officers or stockholders, hold a current Nebraska Alcoholic Beverage License? If YES, list licenses and date acquired.	X		See attached listing of license the company holds.
11. Were you the owner, or partner, or an officer of a corporation, on any previous license held in Nebraska or any other state. If YES, list all previous licenses & locations held.	X		See attached listing of license the company holds.
12. If YES was your previous license canceled or revoked by the Liquor Control Commission?		X	
13. Do you intend to manage the business yourself? If filing as a corporation, this question applies to the manager applicant. If other than a corporation how many hours do you intend to be present in the licensed establishment, supervising?	X		
14. Have all persons listed on this application provided proof of citizenship, birth certificate, or naturalization papers? (Not applicable to Corporate Applications)			n/a
15. Is the premises within 150 feet of any church, school, hospital, home for aged or indigent persons, or for veterans, their wives or children or within 300 feet of a college or university campus? (Sec §53-177) IF YES, ineligible; unless premises had been licensed at least 2 years continuously prior to a new application.		X	Per 7/10 mickell 12303 (M)
16. Identify each type of business or activity proposed to be operated in conjunction with the license being applied for (e.g. pool hall, restaurant, type of entertainment) and indicate the present or future public convenience or necessity which will be provided for if a license is granted.			
Wal-Mart Supercenters are retail discount merchandisers with full line grocery.			
17. Describe the nature of the neighborhood or community immediately surrounding the proposed licensed premises.			
18. Are the required fingerprint card(s) and the proper fee(s) <u>included</u> with this application? The application will not be processed until the required fingerprints & fees are received by the Commission. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
19. Are you a law enforcement officer in any capacity? If yes, list your agency and duties (only eligible if NOT a manager, officer or stockholder of over 25%). Statute §53-125(15) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

20. Principal Residence Since Age 18. All individuals, partners, stockholders owning more than 25% stock, chief executive officer, and spouses must complete, if necessary, continue on separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
			RECEIVED
			JAN 17 2003
			NEBRASKA LIQUOR CONTROL COMMISSION
PERSONAL OATH AND CONSENT TO INVESTIGATION			


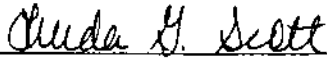
Must be signed in the presence of a notary public. Must be signed by the applicant and spouse; if a partnership, all partners and spouses must sign and if a corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable. (Ch. 3-002.07) Nebraska Liquor Control Act/Rules & Regulations.

STATE OF ~~XXXXXX~~ Arkansas  
COUNTY OF Benton ) ss.

The above individual(s), being first duly sworn upon oath, depose(s) and state(s) that the undersigned is/are the applicant(s) and/or spouse(s) of applicant(s) who make(s) the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true, if any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (§53-131.01) Nebraska Liquor Control Act.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

If an individual owner, I shall supervise in person, the management and operation of the business. I intend to carry on the business authorized by the license for myself and not as an agent for any other person or entity. If a corporation, the manager shall superintend in person, the management and operation of the business. If a partnership, one partner shall, in person, superintend the management and operation of the business. I as a licensee, whether individual, corporate or partnership, agree to responsibly manage and operate this business within any applicable laws, rules, regulations, or ordinances and I further agree to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

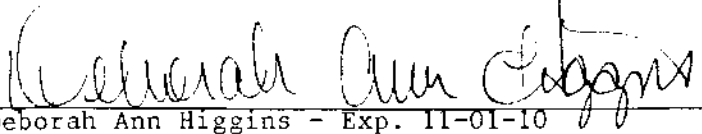
sign here		H. Lee Scott, Jr. - President & CEO	sign here		Linda G. Scott
sign here		David O. Smith - Assistant Secretary	sign here		Barbara B. Smith
sign here		David Bullington - VP of Tax	sign here		Molly J. Bullingt
sign here		Rick W. Brazile - VP of Financial Analysis	sign here		Sheryl D. Brazile

Subscribed in my presence and sworn to before me this 13th day of January, 2003.

(SEAL)

In compliance with ADA, this application for License Form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternative format.

Sign here

  
Deborah Ann Higgins - Exp. 11-01-10  
Notary Public Signature

**#20 Attachment for officers:**

Lee & Linda Scott	1979-Present	Rogers, AR
	1978-1979	Springfield, MO
	1975-1977	Springdale, AR
	1973-1975	Springfield, MO
	1972-1973	Plainfield, IL
	1968-1971	Pittsburg, KS
Lee Scott	1967-1968	Baxter Springs, KS



RECEIVED

JAN 17 2003

NEBRASKA LIQUOR  
CONTROL COMMISSION

**SPOUSAL AFFIDAVIT OF NON PARTICIPATION  
IN A LIQUOR LICENSE**

The spouse, Sheryl D. Brazile, acknowledges that he or she will have no interest, directly or  
(full name of spouse),

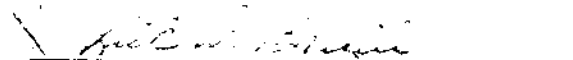
indirectly, in any part of the daily operations or profit of the business Wal-Mart Supercenter # 3278  
(name, trade name)

8700 Andermatt Drive  
Lincoln, NE 68516 as prescribed in Sec. 53-125(13) of the Nebraska Liquor Control Act.  
& address of business)

Such individual shall not tend bar, stock shelves, write checks, sign invoices, represent  
themselves as an owner or in any other way participate in any part of the operation of the  
licensed business. The licensee/applicant understands that he or she is responsible for compliance  
with the conditions set out above, and that if such terms are violated, the Commission may cancel  
or revoke the license.



Signature of non participating spouse  
Sheryl D. Brazile



Signature of licensee/applicant  
Rick W. Brazile - VP of Financial Analysis

20. Principal Residence Since Age 18. All individuals, partners, stockholders owning more than 25% stock, chief executive officer, and spouses must complete. If necessary, continue on separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
			RECEIVED
			JAN 17 2003
			NEBRASKA LIQUOR CONTROL COMMISSION
PERSONAL OATH AND CONSENT TO INVESTIGATION			

Must be signed in the presence of a notary public. Must be signed by the applicant and spouse; if a partnership, all partners and spouses must sign and if a corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable. Ch. 3-002.07) Nebraska Liquor Control Act/Rules & Regulations.

STATE OF ~~MISSISSIPPI~~ Arkansas } ss.  
COUNTY OF Benton }

The above individual(s), being first duly sworn upon oath, depose(s) and state(s) that the undersigned is/are the applicant(s) and/or spouse(s) of applicant(s) who make(s) the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true, if any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (§53-131.01) Nebraska Liquor Control Act.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background including all records of every kind and description including police records, court records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. Any documents or records for the proposed business or for any partner or stockholder that are needed for furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

If an individual owner, I shall supervise in person, the management and operation of the business. I intend to carry on the business authorized by the license for myself and not as an agent for any other person or entity. If a corporation, the manager shall superintend in person, the management and operation of the business. If a partnership, one partner shall, in person, superintend the management and operation of the business. I as a licensee, whether individual, corporate or partnership, agree to responsibly manage and operate this business within any applicable laws, rules, regulations, or ordinances and I further agree to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

gn re	H. Lee Scott, Jr. - President & CEO	sign here	Linda G. Scott
gn re	David Bullington - VP of Tax	sign here	Molly J. Bullington
gn re	David O. Smith - Assistant Secretary	sign here	Barbara B. Smith
gn re	Rick W. Brazile - VP of Financial Analysis	sign here	Sheryl D. Brazile

Subscribed in my presence and sworn to before me this 13th day of January, 2003.

EAL)

In compliance with ADA, this application for License Form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternative format.

Sign  
here

Deborah Ann Higgins - Exp. 11-01-10  
Notary Public Signature

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NEBRASKA LIQUOR  
CONTROL COMMISSION

SPOUSAL AFFIDAVIT OF NON PARTICIPATION  
IN A LIQUOR LICENSE

The spouse, Barbara B. Smith, acknowledges that he or she will have no interest, directly or  
(full name of spouse).

indirectly, in any part of the daily operations or profit of the business Wal-Mart Supercenter # 3278  
(name, trade name)

8700 Andermatt Drive  
Lincoln, NE 68516 as prescribed in Sec. 53-125(13) of the Nebraska Liquor Control Act.  
& address of business)

Such individual shall not tend bar, stock shelves, write checks, sign invoices, represent

themselves as an owner or in any other way participate in any part of the operation of the

licensed business. The licensee/applicant understands that he or she is responsible for compliance

with the conditions set out above, and that if such terms are violated, the Commission may cancel

or revoke the license.

Barbara B. Smith

Signature of non participating spouse  
Barbara B. Smith

David O. Smith

Signature of licensee/applicant  
David O. Smith - Assistant Secretary

20. Principal Residence Since Age 18. All individuals, partners, stockholders owning more than 25% stock, chief executive officer, and spouses must complete. If necessary, continue on separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)

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JAN 17 2003  
NEBRASKA LIQUOR  
CONTROL COMMISSION

PERSONAL OATH AND CONSENT TO INVESTIGATION

Must be signed in the presence of a notary public. Must be signed by the applicant and spouse; if a partnership, all partners and spouses must sign and if corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable. (Ch. 3-002.07) Nebraska Liquor Control Act/Rules & Regulations.

STATE OF ~~NEBRASKA~~ Arkansas  
COUNTY OF Benton ss.

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If an individual owner, I shall supervise in person, the management and operation of the business. I intend to carry on the business authorized by the license for myself and not as an agent for any other person or entity. If a corporation, the manager shall superintend in person, the management and operation of the business. If a partnership, one partner shall, in person, superintend the management and operation of the business. I as a licensee, whether individual, corporate or partnership, agree to responsibly manage and operate this business within any applicable laws, rules, regulations, or ordinances and I further agree to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

sign here	H. Lee Scott, Jr. - President & CEO	sign here	Linda G. Scott
sign here	David Bullington - VP of Tax	sign here	Molly J. Bullington
sign here	David O. Smith Assistant Secretary	sign here	Barbara B. Smith
sign here	Rick W. Brazile - VP of Financial Analysis	sign here	Sheryl D. Brazile

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(SEAL)

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Sign here

*Deborah Ann Higgins*  
Deborah Ann Higgins - Notary  
Notary Public Signature  
Exp. 01-01-10

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JAN 17 2003

NEBRASKA LIQUOR  
CONTROL COMMISSION

**SPOUSAL AFFIDAVIT OF NON PARTICIPATION  
IN A LIQUOR LICENSE**

The spouse, Molly J. Bullington, acknowledges that he or she will have no interest, directly or  
(full name of spouse).

indirectly, in any part of the daily operations or profit of the business Wal-Mart Supercenter #3278  
(name, trade name)

8700 Andermatt Drive  
Lincoln, NE 68516 as prescribed in Sec. 53-125(13) of the Nebraska Liquor Control Act.  
& address of business)

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licensed business. The licensee/applicant understands that he or she is responsible for compliance  
with the conditions set out above, and that if such terms are violated, the Commission may cancel  
or revoke the license.

Molly J. Bullington  
Signature of non-participating spouse  
Molly J. Bullington

David Bullington  
Signature of licensee/applicant  
David Bullington - VP of Tax

20. Principal Residence Since Age 18. All individuals, partners, stockholders owning more than 25% stock, chief executive officer, and spouses must complete, if necessary, continue on separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
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PERSONAL OATH AND CONSENT TO INVESTIGATION			

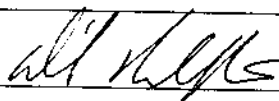
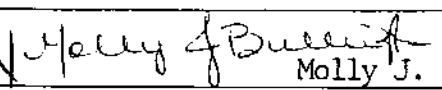
Must be signed in the presence of a notary public. Must be signed by the applicant and spouse; if a partnership, all partners and spouses must sign and if a corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable. Ch. 3-002.07) Nebraska Liquor Control Act/Rules & Regulations.

STATE OF ~~MISSISSIPPI~~ Arkansas  
COUNTY OF Benton ss.

The above individual(s), being first duly sworn upon oath, depose(s) and state(s) that the undersigned is/are the applicant(s) and/or spouse(s) of applicant(s) who make(s) the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true, if any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (§53-131.01) Nebraska Liquor Control Act.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. Any documents or records for the proposed business or for any partner or stockholder that are needed for furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

If an individual owner, I shall supervise in person, the management and operation of the business. I intend to carry on the business authorized by the license or myself and not as an agent for any other person or entity. If a corporation, the manager shall superintend in person, the management and operation of the business. If a partnership, one partner shall, in person, superintend the management and operation of the business. I as a licensee, whether individual, corporate or partnership, agree to responsibly manage and operate this business within any applicable laws, rules, regulations, or ordinances and I further agree to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

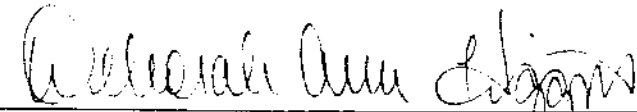
gn ere	H. Lee Scott, Jr. - President & CEO	sign here	Linda G. Scott
gn ere	 David Bullington - VP of Tax	sign here	 Molly J. Bullington
gn ere	David O. Smith - Assistant Secretary	sign here	Barbara B. Smith
gn ere	Rick W. Brazile - VP of Financial Analysis	sign here	Sheryl D. Brazile

Subscribed in my presence and sworn to before me this 13th day of January, 2003.

(SEAL)

In compliance with ADA, this application for License Form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternative format.

Sign  
here

  
Deborah Ann Higgins - Exp. 11-01-10  
Notary Public Signature

# Corporation Application for License - Form 3 and 4

Nebraska Liquor Control Commission

## INSTRUCTIONS:

- 1) Application and application for manager must be typewritten and submitted in triplicate.
- 2) Fingerprint cards (2 cards per person) must be submitted for each stockholder owning over 25% stock, chief executive officer, manager and all spouses.
- 3) Information regarding spouses must be completed; indicate if **NOT** married, or, spouse may provide an affidavit of **NO** interest if they have no interest at all, directly or indirectly.

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NEBRASKA LIQUOR  
CONTROL COMMISSION

Is this corporation organized under the laws of Nebraska, not for profit, exempted from the payment of Federal Income Taxes as provided by Section (501)(c)(4), (7) or (8) Internal Revenue Code of 1954. ☐ YES ☒ NO If yes, a certified copy of letter of exemption from the Internal Revenue Service shall be attached to this application recognizing the exempt status of the corporation.

Name of Corporation That Will Hold License. Attach copy of State of Nebraska Registration.		Total Number of Shares. Attach Copies of Stock Certificates.	
Wal-Mart Stores, Inc.		See attached stock affidavit.	
Corporate Street Address (1) 702 SW 8th Street	Corporate Street Address (2) n/a	Corporate Telephone Number 479/204-2128	
City Bentonville	County Benton	State AR	Zip Code 72716-0555
Name of Resident Agent GSC-Lawyers Incorporating Service Co. 1900 First Bank Bldg., Lincoln, NE	Name of Manager Kayleen Heller - Store Manager		
<b>IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER</b>			
Name H. Lee Scott, Jr.	Title President & CEO	Date of Birth	Social Security Number
Home Address (1) 61 Champions Blvd.	Home Address (2) n/a	Driver's License Number	State AR
City Rogers	State AR	Zip Code 72758	Home Telephone Number 479/273-4000
			Business Telephone Number 479/204-2128

# Corporation Application for License - Form 3 and 4

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS AND SPOUSES					
Name of Officers, Directors, Spouses and Address. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares	
OFFICER'S NAME See attached officer listing.					
Spouse's Name					
OFFICER'S NAME					
Spouse's Name					
OFFICER'S NAME					
Spouse's Name					
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OFFICER'S NAME					
Spouse's Name					
OFFICER'S NAME					
Spouse's Name					

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CONTROL COMMISSION

(If Necessary, Continue on Separate Sheet)



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CONTROL COMMISSION

OFFICERS AND DIRECTORS

NAME AND TITLE	RESIDENCE ADDRESS	SSN AND DATE OF BIRTH
H. Lee Scott, Jr. President & CEO Director	61 Champions Boulevard Rogers, AR 72758 501/273-5679	
David L. Bullington Vice President of Tax	11473 Peach Orchard Road Bentonville, AR 72712	
David O. Smith Assistant Secretary	5 Samoset Court Rogers, AR 72758	
Rick W. Brazile Vice President of Financial Analysis	25 Stonehenge Drive Bentonville, AR 72712 501/273-5143	

The above officers/directors own less than 1% stock of Wal-Mart Stores, Inc., a public corporation.

The above officers/directors are those designated authority for all licensing matters and serve in the capacity as listed above for Wal-Mart Stores, Inc., Wal-Mart Stores East, Inc., Wal-Mart Stores East, LP, Wal-Mart Louisiana, LLC, Sam's East, Inc. and Sam's West, Inc.

WSE Management, LLC and WSE Investment, LLC own the limited and general partnership interest in Wal-Mart Stores East, LP.

WSE Management, LLC - General Partner - 1%  
WSE Investment, LLC - Limited Partner - 99%

Is this Corporation controlled by another Corporation? ☐ YES ☒ NO

Name of Control Corporation

Wal-Mart Stores, Inc.

Please indicate below your corporate tax year with the IRS.

Starting Date: 2/01 Ending Date: 1/31

Are any of the stockholders, officers, directors, or spouses ineligible personally to receive a license? ☐ YES ☒ NO

If YES, list the names of such persons and the reason(s) they are ineligible. Use Separate Sheet (If Applicable)

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Wal-Mart Stores, Inc., a corporation organized and doing business under the laws of the State of Nebraska, with its registered corporate office in Bentonville, Benton County, ~~Nebraska~~ Arkansas, does hereby nominate and appoint Kayleen Heller of Lancaster County, Nebraska, who is a registered agent and attorney-in-fact to represent the corporation before the Nebraska Liquor Control Commission, as required, specified, or provided for by section §53-126 of the Nebraska Liquor Control Act.

STATE OF ~~NEBRASKA~~ <sup>Arkansas</sup>

Benton County

Notary Public Signature & Seal  
Exp. 11-01-10

H. Lee Scott, Jr. - President & CEO

PRESIDENT

SECRETARY

David O. Smith - Assistant Secretary

In Compliance with ADA, this form is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format

IF YES, LIST EACH SHAREHOLDER OWNING MORE THAN 25% stock in that corporation. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock.  
(If needed use separate sheet)

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## Application for Corporate Manager JAN 17 2003

\*Must Be A Nebraska Resident\*

Please submit in Triplicate

NEBRASKA LIQUOR  
CONTROL COMMISSIONReturn to: Nebraska Liquor Control Commission, PO Box 95046  
301 Centennial Mall So., Lincoln NE 68509Phone: (402) 471-2571 Fax: (402) 471-2814 Web address: <http://www.nol.org/home/NLCC/>

## LIQUOR LICENSE INFORMATION

NAME OF LICENSED CORPORATION Wal-Mart Stores, Inc.		CLASS & LICENSE NUMBER	
TRADE NAME OF LICENSED PREMISE Wal-Mart Supercenter #3278			
STREET ADDRESS OF LICENSED PREMISE 8700 Andermatt Drive	CITY Lincoln	COUNTY Lancaster	ZIP CODE 68516

On behalf of the corporation, I designate this individual as corporate manager.

Signature of Corporate President/CEO:

H. Lee Scott, Jr. -  
President & CEO

## APPLICANT INFORMATION (MUST BE 21 OR OVER)

NAME (LAST, FIRST, MIDDLE, MAIDEN) Heller, Kayleen Rae, Vogel	SEX (F) M	SOCIAL SECURITY NUMBER	DATE OF BIRTH	PLACE OF BIRTH Sutherland, NE
HOME STREET ADDRESS 1249 S. 44th	CITY Lincoln	COUNTY Lancaster	STATE NE	ZIP CODE 68510
HOME TELEPHONE NUMBER (402) 327-9928	BUSINESS TELEPHONE NUMBER (402) 484-6166 / 421-2363		DRIVERS LICENSE NUMBER & STATE NE G.	

## SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE)

FULL NAME (LAST, FIRST, MIDDLE, MAIDEN) Heller, Shandy Lee	SOCIAL SECURITY NUMBER	DRIVERS LICENSE NUMBER & STATE
DATE OF BIRTH:	PLACE OF BIRTH: McCook, NE	

1. READ CAREFULLY - ANSWER FULLY AND ACCURATELY Has anyone who is a party to this application or their spouse ever been convicted of or pled guilty to any criminal charge? Criminal charge means any charge alleging a violation of a Federal, State or local law or ordinance. List the nature of the charge, where the charge occurred and the year and month of the conviction or guilty plea. Also list any pending charges at this time.

☐ YES ☒ NO

2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? IF YES, for what premise give license number and date.

☐ YES ☒ NO

3. Have you or your spouse ever made a compromise settlement for violation of such laws?

☐ YES ☒ NO

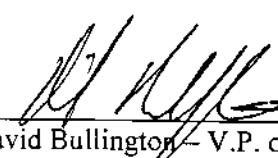
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AFFIDAVIT

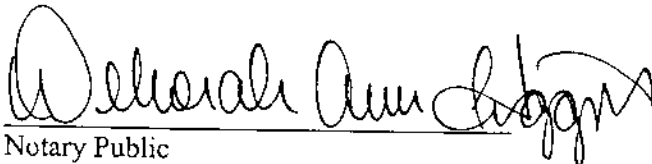
Wal-Mart Stores, Inc. stock is publicly traded on the New York and Pacific Stock Exchanges with 11 billion shares authorized and approximately 4,453,000,000 shares issued as of January 31, 2002. No one person owns more than 10% stock.

  
David Bullington - V.P. of Tax

STATE OF ARKANSAS )  
                                  )  
COUNTY OF BENTON )

Sworn to and subscribed before me this 7th day of January, 2003 by David Bullington.

My commission expires November 1, 2010.

  
Notary Public

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CONTROL COMMISSION

**SPOUSAL AFFIDAVIT OF NON PARTICIPATION  
IN A LIQUOR LICENSE**

The spouse, Shandy Lee Heller, acknowledges that he or she will have no interest, directly or  
(full name of spouse)

indirectly, in any part of the daily operations or profit of the business Wal-Mart Stores, Inc. dba  
Wal-Mart Supercenter #3278  
(name, trade name)

8700 Andermatt Drive,  
Lincoln, NE 68516 as prescribed in Sec. 53-125(13) of the Nebraska Liquor Control Act.  
& address of business)

Such individual shall not tend bar, stock shelves, write checks, sign invoices, represent  
themselves as an owner or in any other way participate in any part of the operation of the  
licensed business. The licensee/applicant understands that he or she is responsible for compliance  
with the conditions set out above, and that if such terms are violated, the Commission may cancel  
or revoke the license.

✓ Shandy Heller  
Signature of non participating spouse  
Shandy Heller - Spouse

Kayleen B. Heller  
Signature of licensee/applicant  
Kayleen B. Heller - Store Manager

Applicant residences since age 18.

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Kayleen Heller:

1249 S. 44<sup>th</sup> Street, Lincoln NE 68510  
2830 Fletcher Ave., Apt. 3, Lincoln, NE 68521  
4300 Cornhusker Hwy. Apt. K-3, Lincoln, NE 68520  
RR #2 Box 419, North Platte, NE 69101  
E Street, North Platte, NE 69101  
Erma Street, North Platte, NE 69101  
West 3<sup>rd</sup> Street, North Platte, NE 69101  
RR #2 Box 419, North Platte, NE 69101

6/2000-Present  
5/1999-6/2000  
2/1998-5/1999  
11/1996-2/1998  
11/1995-11/1996  
10/1993-10/1995  
9/1992-9/1993  
9/1971-9/1992

**Licenses held by the company.**

Supercenter	0598 5411 Second Avenue	Kearney	NE 68847	b/w/l
Suprecenter	0645 2400 Pasewalk Avenue	Norfolk	NE 68701	b/w/l
Supercenter	0776 3010 East 23rd Avenue North	Fremont	NE 68025	b/w/l
Supercenter	0790 1902 West "B"	McCook	NE 69001	b/w/l
Supercenter	0867 3322 Avenue "I"	Scottsbluff	NE 69361	b/w/l
Supercenter	1585 1401 South Dewey Street	North Platte	NE 69101	b/w/l
Supercenter	1943 4700 North 27th Street	Lincoln	NE 68504	b/w/l
Supercenter	2784 3620 North 6th Street	Beatrice	NE 68310	b/w/l
Supercenter	2847 10504 South 15th Street	Bellevue	NE 68123	b/w/l
Supercenter	3267 18201 Wright Street	Omaha	NE 68130	b/w/l
Sam's Club	6413 4700 North 27th Street	Lincoln	NE 68521	b/w/l
Sam's Club	6461 1510 North Diers Avenue	Grand Island	NE 68803	b/w/l
Sam's Club	8146 11911 "I" Street	Omaha	NE 68137	b/w/l

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JAN 14 2008

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